

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,  
Plaintiff,

v.

LEONARD T. PILLING,  
Defendants,

CIVIL ACTION NO. 04-40032-NMG

**AFFIDAVIT IN SUPPORT OF THE UNITED STATES OF AMERICA'S  
MOTION FOR DEFAULT JUDGMENT**

I, Christopher R. Donato, the attorney for the plaintiff in the above-captioned matter, hereby being duly sworn, on oath depose and say:

1. On March 3, 2004, the plaintiff filed a "Complaint for Repossession of Chattels" (hereinafter "complaint") with the United States District Court for the District of Massachusetts.
2. According to the records of the Farm Service Agency of the United States Department of Agriculture, the defendant has an outstanding balance of \$536,918.40 owed as of February 2, 2004. (See the attached sworn statement of indebtedness dated February 2, 2004.)
3. According to the "Process Receipt and Return" form of the United States Marshal Service, a copy of which is attached, the United States Marshals made personal service of the complaint upon the defendant on March 19, 2004.
4. Pursuant to Rule 12(a)(1)(A) of the Federal Rules of Civil Procedure, the defendant had twenty (20) days from the date of service to serve an answer or other defensive pleading on the

plaintiff.


5. Over one month has transpired from the date of service of the complaint and the plaintiff has yet to receive an answer or other defensive pleading from the defendant.

6. According to the records of the Department of Defense Manpower Data Center, the defendant is not an active member of the armed services of the United States and is not entitled to protection under the Soldiers' and Sailors' Civil Relief Act of 1940.

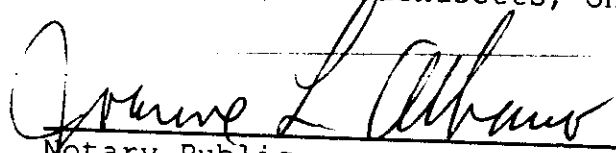
7. According to the records of the United States Department of Agriculture, the defendant is not an infants.

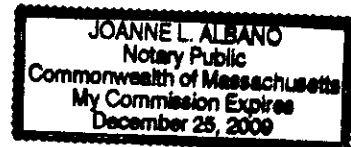
8. The plaintiff is without knowledge or information as to whether the defendant is incompetent.

Signed under the pains and penalties of perjury, on this 23<sup>rd</sup> day of April, 2004,

  
Christopher R. Donato  
Assistant U.S. Attorney

Signed and sworn before me at Boston, Massachusetts, on this 23<sup>rd</sup> day of April, 2004,

  
Notary Public  
My Commission Expires:



**U.S. Department of Justice  
United States Marshals Service**

**PROCESS RECEIPT AND RETURN**

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF

U.S.A.

DEFENDANT

Leonard T. Pilling

COURT CASE NUMBER

04-40032-NMC

04-40033-NMC

TYPE OF PROCESS **Summons & Complaint  
for Foreclosure & Repossession  
of chattels**

**SERVE**



NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Leonard T. Pilling

**AT**

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

25 Kingsbury Road Spencer, MA 01562

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Christopher R. Donato, AUSA  
U.S. Attorney's Office  
1 Courthouse Way-Suite 9200  
Boston, MA 02210

Number of process to be served with this Form - 285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF

☐ DEFENDANT

TELEPHONE NUMBER

617 748 3303

DATE

3-4-04

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated.  
(Sign only first USM 285 if more than one USM 285 is submitted)

Total Process

1

District of Origin

No. 38

District to Serve

No. 38

Signature of Authorized USMS Deputy or Clerk

*Harvey Salawin*

Date

3/4/04

I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

Address (complete only if different than shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service

3/19/04

Time

0630

pm

Signature of U.S. Marshal or Deputy

*R. W. [Signature]*

Service Fee

Total Mileage Charges  
(including endeavors)

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal or

Amount of Refund

REMARKS:

3/17 - Enclave 7<sup>th</sup> - no response  
3/17 - 11 1760 - no response

**NOTE**

PRIOR EDITIONS  
MAY BE USED

**3. NOTICE OF SERVICE**

FORM USM-285 (Rev. 12/15/00)

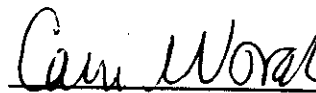
**FARM SERVICE AGENCY  
445 WEST STREET  
AMHERST, MA 01002**

**INDEBTEDNESS AS OF 02/02/04  
(PER ADPS)**

NAME: PILLING, LEONARD T.

CASE NUMBER: 25-019-0010305611


FUND CODE/ LOAN NO.	DATE OF LAST PAYMENT	UNPAID PRINCIPAL	UNPAID INTEREST	DAILY INTEREST ACCRUAL	DELINQUENT AS OF: 02/02/04
41-02	06-23-03	\$ 19,185.23	\$ 1,201.77	\$ 2.5234	\$ 16,786.56B
41-10	08-13-03	\$ 1,321.20	\$ 165.87	\$ .1554	\$ 153.22B
44-22	09-15-03	\$ 12,263.47	\$ 2,200.63	\$ 1.4734	\$ 8,140.54B
44-23	08-13-03	\$ 20,505.63	\$ 4,773.43	\$ 2.2254	\$ 19,718.11B
41-24	10-28-96	\$246,129.02	\$229,172.15	\$33.0992	\$173,558.85B
		<b>\$299,404.55</b>	<b>\$237,513.85</b>		

  
CARRIE L. NOVAK  
Farm Loan Chief

Sworn and subscribed to before me, the undersigned officer, on this 2<sup>nd</sup> day of February, 2004.

NOTARIAL

SEAL

  
JANE A. RICE  
Notary Public  
My Commission expires January 29, 2010.